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28 **UNITED STATES DISTRICT COURT**

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30 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

31 CISCO SYSTEMS, INC.,

32 Plaintiff,

33 vs.

34 ARISTA NETWORKS, INC.,

35 Defendant.

36 CASE NO. 5:14-cv-5344-BLF

37  
38 **DECLARATION OF JOHN NEUKOM IN  
39 SUPPORT OF PLAINTIFF CISCO  
40 SYSTEMS, INC.'S OPPOSITION TO  
41 PARTIALLY UNOPPOSED MOTION TO  
42 STAY PATENT CLAIMS PENDING  
43 INTER PARTES REVIEW**

1 I, John Neukom, hereby declare as follows:

2       1. I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff  
3 Cisco Systems, Inc. I submit this declaration in support of the Cisco's Opposition to Arista's  
4 Motion to Stay Patent Claims. I have personal knowledge of the following facts, and would  
5 competently testify to them if called upon to do so.

6       2. To date in this case, Cisco has produced 746,674 documents in this case, spanning  
7 millions of pages. Arista has produced 910,206 documents in this case, spanning millions of  
8 pages. The parties have conducted approximately 50 depositions, and (through counsel and  
9 experts) have spent many hours inspecting source code and hardware relevant to infringement of  
10 the '526 Patent.

11       3. On June 3, counsel for Cisco served the expert report of Kevin Jeffay, opining to  
12 Arista's infringement of the '526 patent. That report is 91 pages in length and includes 5 exhibits.  
13 On the same date, counsel for Arista served the expert report of Douglas W. Clark, purportedly  
14 opining to Arista's views of the invalidity of the '526 patent. That report is 120 pages in length and  
15 includes 5 exhibits.

16       4. Attached hereto as Exhibit 1 is a true and correct copy of Cisco's Amended  
17 Infringement Contentions for U.S. Patent No. 7,047,526 by '526 Accused Instrumentalities that  
18 incorporate EOS+ and/or vEOS, served on December 14, 2015.

19       5. Attached hereto as Exhibit 2 is a true and correct copy Cisco's Amended  
20 Infringement Contentions for U.S. Patent No. 7,953,886 by '886 Accused Instrumentalities  
21 Integrated with XMPP and/or eAPI, Including EOS+, served on December 14, 2015.

22       6. Attached hereto as Exhibit 3 is a true and correct copy of Defendant Arista  
23 Network, Inc's Preliminary Election of Asserted Prior Art, dated November 18, 2015.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed on June  
2 6, 2016.

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4 By /s/ John M. Neukom  
John M. Neukom  
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## **SIGNATURE ATTESTATION**

I, Andrew Holmes, am the ECF user whose userid and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that John Neukom has concurred in this filing. Furthermore, I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.

Dated: June 6, 2016

*/s/ Andrew M. Holmes*

Andrew M. Holmes